IN THE HIGH CORUT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 369 of 2005(S/S)

Ashok Kumar Anatwal
S/o Sri Ramesh Chandra Anatwal

……. Petitioner

Versus

1. State of Uttaranchal
   through its Secretary Forest Department,
   Govt. of Uttaranchal, Dehradun.
2. Principal Chief Conservator of Forest,
   Uttaranchal, Nainital, Camp at
   85, Rajpur Road, Dehradun.
3. Chief Conservator of Forest
   Garhwal Region, 85 Rajpur Road,
   Dehradun.
4. Conservator of Forest,
   Shivalik Circle – 5,
   5, Tilak Road, Dehradun.
5. Divisional Forest Officer
   Dehradun Forest Division,
   5 Tilak Road, Dehradun.

…….. Respondents

None for the petitioner.
Mr. N.P. Sah, Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned Standing Counsel for the State is present

2) By means of this writ petition, the petitioners, who is a Plantation Chowkidar, an employee on daily wages, with the Forest Department, have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006***

A.I.R.S.C.W. Page 1991, that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioner.

4) The writ petition is dismissed. Interim order dated 07.04.2005, is hereby, vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt .: November 17, 2006
H.Negi